

REMARKS

Claims 1 - 20 directed at a highway marker device are presently pending in the within Application. Pursuant to this Amendment, independent Claim 1 is amended to further define the Applicant's invention. More particularly, Claim 1(c) has been amended to further define the "mounting mechanism" by incorporating a portion of the subject matter of previous Claim 2 and to incorporate all of the subject matter of previous Claim 3. As a result, consequential amendments have been made to Claims 2, 4, 5, 8 - 12, 16 and 18 and Claim 3 is cancelled herein. Further support for the amendment to Claim 1 is found in the Application at: Page 10, line 1 - 20; Page 20, line 16 - Page 21, line 7; and Figures 1 - 2.

In addition, new Claims 21 - 23 have been added to further define the secondary mounting mechanism. New Claims 21 - 23 include the same subject matter as pending Claims 5, 7 and 6 respectively. In addition, further support for these new Claims is found in the Application at: Page 10, line 9 - Page 11, line 11; Page 20, line 27 - Page 21, line 7; Page 23, line 24 - Page 24, line 20; and Figures 1 - 2.

Referring to the Office Action, previous Claims 1 - 3, 9 and 12 - 17 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,886,232 to Dicke et. al., while previous Claims 4 - 8 and 18 - 20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Dicke et. al. Finally, previous Claims 10 - 11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Dicke et. al. in view of U.S. Patent No. 5,199,814 to Clark et. al. It is respectfully submitted that these rejections of the Examiner are overcome by the amendment to Claim 1, along with the remarks that follow.

The Applicant's invention as claimed in amended Claim 1 is directed at a highway marker device for marking the location of an object located adjacent to a highway. The marker device is comprised of a coil spring comprised of a plurality of windings around a spring axis, a marker post connected with the coil spring and a mounting mechanism for connecting the device with the object such that the coil spring is substantially restrained from bending about the spring axis. Thus, the marker device is connected with the object in order to enhance the object's visibility. (Page 4, lines 2 - 5; Page 5, lines 4 - 11; Page 13, lines 12 - 14 of the Application).

The “object” is discussed in the Application at Page 5, lines 4 - 11 as follows:

“ Further, the marker device may mark the location of any type, manner or kind of object, thing or structure which is desired to be rendered more visible or observable from the highway. For instance, the marker device may be provided to mark the location of any object or structure which is typically installed or affixed adjacent, near or in relatively close proximity to the highway. In the preferred embodiment, the marker device is provided for marking the location or position of a culvert or other drain, channel or passage extending under the highway. Specifically, the culvert typically has at least one end or opening thereof which is located adjacent the highway.” (see also Page 14, lines 6 - 29 of the Application).

Thus, the “object” does not form part of, or comprise a portion of, the marker device itself. Rather, the marker device is connected with the object during use of the marker device by the mounting mechanism. Further, the marker device is not intended to be used, and is not capable of use, without its connection with the object by the mounting mechanism. In other words, the marker device is not intended to be used, and is not capable of use, as a “stand alone” marker which is unconnected with the object to be marked thereby.

Further, as claimed in amended Claim 1, the mounting mechanism is comprised of a primary mounting mechanism and a secondary mounting mechanism and wherein the secondary mounting mechanism is axially spaced along the spring axis relative to the primary mounting mechanism so that the primary mounting mechanism and the secondary mounting mechanism together substantially restrain the coil spring from bending about the spring axis. Bending about the spring axis is desired to decrease the stress on the coil spring, and potential breakage or failure, during its use (Page 8, lines 10 - 16 of the Application).

The coil spring is comprised of a plurality of windings around a spring axis. More particularly, as shown in Figure 1 of the Application, the coil spring (26) has a first end (48) and an opposed second end (50) and defines the spring axis (52) therebetween. The plurality of windings (54) are provided around the spring axis (52) along the length of the coil spring or between the first and second ends thereof. (Page 5, lines 26 - 28; Page 15, lines 13 - 17 of the Application).

The secondary mounting mechanism is axially spaced along the spring axis (which is defined between the first and second ends of the coil spring) relative to the primary mounting mechanism. Further, the secondary mounting mechanism may be spaced apart from the primary mounting mechanism any distance axially along the spring axis, or along the length of the coil spring, permitting the substantial restraint of the coil spring (Page 10, lines 1 - 7; Page 20, lines 16 - 25 of the Application).

In the preferred embodiment, the primary mounting mechanism is located adjacent to the second end of the coil spring, as claimed in amended Claim 2. Thus, as stated in the Application at Page 10, lines 9 - 20:

“...The secondary mounting mechanism may be located at any position axially along the spring axis between the primary mounting mechanism and the first end of the coil spring which permits or allows the primary and secondary mounting mechanisms to substantially restrain the coil spring from bending about the spring axis. Preferably, the secondary mounting mechanism is located adjacent to the first end of the coil spring, being either at or in close proximity to the first end. For instance, it has been found that placing the secondary mounting mechanism at the first end or alternatively within about 2 to 4 windings of the first end of the coil spring will substantially restrain the bending of the coil spring about the spring axis. Thus, in the preferred embodiment, the primary and secondary mounting mechanisms are located adjacent the second and first ends of the coil spring respectively to substantially restrain the coil spring from bending about the spring axis.” (see also Page 20, line 27 - Page 21, line 12 of the Application).

Thus, in the preferred embodiment, the secondary mounting mechanism is located adjacent to the first end of the coil spring, as claimed in Claim 7.

It is respectfully submitted that neither Dicke et. al. nor Clark et. al., alone or in combination, describes, teaches or suggests in any manner a highway marker device for marking the location of an object comprising: a coil spring having a spring axis; a marker post connected with the coil spring; and “a mounting mechanism for connecting the device with the object such that the coil spring is substantially restrained from bending about the spring axis, wherein the mounting mechanism is comprised of a primary mounting mechanism and a secondary mounting mechanism and wherein the secondary mounting mechanism is axially spaced along the spring axis relative to the primary mounting mechanism so that the primary mounting mechanism and the secondary

mounting mechanism together substantially restrain the coil spring from bending about the spring axis, as claimed in amended independent Claim 1.

Dicke et. al. is directed at an improved mounting structure for an outdoor sign or barrier. However, as shown in Figures 1 and 2, the structure of Dicke et. al. is a free-standing or stand alone structure. It is not adapted, or intended, for connection with “an object.” Thus, there is no “mounting mechanism for connecting the device with the object.”

Rather, the base of the structure or “mounting stand” (28) of Dicke et. al. is provided with multiple leg flanges (36, 38, 40, 42), and an equal number of foldable and extendable legs (50, 52, 54, 56) pivotally mounted thereon, which extend outwardly from the base of the structure to support the structure on the ground or other surface. (Column 3, lines 19 - 27 of Dicke et. al.). Dicke et. al. does not describe, discuss or suggest in any manner whatsoever the use of any alternate support mechanisms, and clearly does not describe, discuss or suggest in any manner whatsoever the connection of the structure with an object to be marked by the structure.

Thus, it is respectfully submitted that Dicke et. al. does not describe, discuss or suggest in any manner whatsoever a mounting mechanism for connecting the device with an object located adjacent to a highway, as claimed in amended Claim 1. This feature is further repeated in Claims 12 - 15 which require that “the device is adapted to be connected with the object ...”.

In addition, further distinctions from the claimed “mounting mechanism” are clearly shown upon a detailed analysis of the structure of Dicke et. al. and its particular components.

The structure or device of Dicke et. al. is comprised of a visible member or sign (10) which is vertically supported upon a foldable mounting base (28) (Column 2, lines 61 - 66 of Dicke et. al.). The sign is supported upon a mast (22) which is welded (18) to a fender (16), wherein the fender (16) has two opposite side ends (16A, 16B) which are pivotably mounted upon the mounting base (28) by a horizontal shaft (26), as shown in Figure 3. The horizontal shaft (26) is comprised of a hollow tube with end sides (26A) seated on an axle such as a bolt (26B) and affixed with a nut (26C) to the mounting stand (28). More particularly, as seen in Figures 2 and 3, the mounting stand (28) is comprised of a lower frame (30) which provides two opposed upright members (32, 34). The

fender (16) is positioned between the upright members (32, 34) and is held therebetween by the shaft (26), the bolt (26B) and the nut (26C). (Column 3, lines 4 - 23 of Dicke et. al.).

In order to resist deflection of the mast in opposite directions, the structure of Dicke et. al. is further comprised of two coil springs (60, 62) which abut against each other and which are concentrically placed over the horizontal shaft (26). The abutting or inner ends (66, 70) of the coil springs (60, 62) extend upwardly through an opening in the fender (16) and into the bottom of the mast (22). As clearly shown in Figure 4, the respective opposite ends (64, 68) of the coil springs (60, 62) extend downwardly to the mounting stand (28) and are loosely received through indented side openings (82, 84) at opposite ends of a shelf structure (80) that bridges the mounting stand (28) a short distance below the horizontal shaft (26) and the springs (60, 62). (Column 2, lines 34 - 45; Column 3, lines 28 - 64 of Dicke et. al.).

The respective opposite ends (64, 68) of the coil springs (60, 62) are loosely received within the indented side openings (82, 84) to permit their movement therein, and thus permit the fender and the mast to freely pivot. However, the amount of movement of the opposite ends (64, 68) of the coil springs (60, 62) within the indented side openings (82, 84) is controlled by adjustment of adjustment bolts (86, 88) which extend within the indented side openings (82, 84).

Thus, the mast (22) and fender (16) may pivot freely on the shaft (26) in a given direction before one of the respective ends (64 or 68) of the coil springs (60, 62) becomes engaged by the respective adjustment bolts (86 or 88). Adjustment of the bolts will therefore adjust the degrees of free pivoting of the mast permitted in a given direction. (Column 4, lines 2 - 16 of Dicke et. al.). Further, proper adjustment of the adjustment bolts (86, 88) will permit the mast (22) to be held vertically. (Column 4, lines 22 - 25 of Dicke et. al.).

Referring to the Office Action, as stated above, the Examiner has indicated that previous Claim 1 is anticipated by Dicke et. al. The Examiner indicates that the "coil spring" and "marker post" of the Applicant's previous Claim 1 are disclosed by either of the coil springs (60, 62) and mast (22) respectively described by Dicke et. al. Further, the Examiner indicates that the "mounting mechanism" is disclosed by "adjustment bolts (86, 88) and upright members (32, 34) and bolt (26B) and nut (26C)."

It is respectfully submitted that the components of Dicke et. al. identified by the Examiner do not describe, teach or suggest either a "mounting mechanism for connecting the device with the object" or the specific components of the "mounting mechanism" as claimed by the Applicant in amended Claim 1.

First, none of the components identified by the Examiner as comprising the "mounting mechanism" (being the adjustment bolts (86, 88), upright members (32, 34) and bolt (26B) and nut (26C)) are connected or connectable with an "object" as defined by the Applicant. Rather, all of the components identified by the Examiner simply provide for the connection between the mast (22) and the mounting base (28), wherein the legs (50, 52, 54, 56) of the mounting base (28) extend outwardly therefrom to support the structure on the ground.

Specifically, as described above, the bolt and nut (26B, 26C) simply hold the end sides (26A) of the hollow tube between the two opposed upright members (32, 34). The upright members (32, 34) comprise a portion of the lower frame (30) of the mounting stand (28).

The two coil springs (60, 62) are concentrically placed over the horizontal shaft (26) in abutment with each other. The abutting or inner ends (66, 70) of the coil springs (60, 62) extend upwardly for engagement with the mast (22). The respective opposite ends (64, 68) of the coil springs (60, 62) extend downwardly for receipt in openings (82, 84) defined by a shelf (80) comprising the mounting stand (28). The amount of movement of the ends (64, 68) in the openings (82, 84) of the mounting stand (28) is controlled by abutment of the ends (64, 68) with the adjustment bolts (86, 88).

Thus, to summarize, the "adjustment bolts (86, 88) and upright members (32, 34) and bolt (26B) and nut (26C)" all provide for the connection of the mast with the mounting base and the operation of the coil springs within the connecting structure, but do not connect the device with "an object located adjacent to a highway."

Second, the particular components of Dicke et. al. identified by the Examiner do not describe, teach or suggest the specific components of the "mounting mechanism" as claimed by the

Applicant in amended Claim 1. As claimed in amended Claim 1, “the secondary mounting mechanism is axially spaced along the spring axis relative to the primary mounting mechanism so that the primary mounting mechanism and the secondary mounting mechanism together substantially restrain the coil spring from bending about the spring axis.”

In this regard, referring to the Examiner’s comments with respect to previous Claims 2 and 3 (wherein Claim 3 now forms a part of amended Claim 1), the Examiner indicates that “the secondary mounting mechanism” claimed by the Applicant is seen as “the upright members (32, 34) with bolt (26B) and nut (26C),” while the “primary mounting member” is seen as “shelf (80) with openings (82, 84) to adjustably mount the end strands (64, 68) through the use of bolts (86, 88).”

When analyzing the components of Dicke et. al. in the context of the Applicant’s claims, each of the coil springs (60, 62) of Dicke et. al. must be viewed separately or apart from the other, rather than as a unit. The coil springs (60, 62) cannot be analyzed as a unit as the claimed “coil spring” of the Applicant must provide a first end connected with the marker post and an opposed second end. If the abutting coil springs (60, 62) of Dicke et. al. are viewed together as a single spring providing the Applicant’s “coil spring”, neither of the opposed ends would be connected with “a marker post” as claimed by the Applicant. Rather, the marker post would be connected between the first and second ends.

As a result, whether or not Dicke et. al. discloses the components of the claimed primary and secondary mounting mechanisms must be determined in the context of each of the first coil spring (60) and the second coil spring (62) of Dicke et. al.

With respect to the first coil spring (60), the first coil spring (60) has an inner end (66) and an opposite outer end (64). The first coil spring (60) is substantially contained within the fender (16), wherein the side of the first coil spring (60) opposite the inner end (66) abuts against and is contained within the end side (16B) of the fender (16). The inner end (66) of the first coil spring (60) extends upwardly through the fender (16) for engagement with the mast (22). Thus, the inner end (66) of the first coil spring (60) would be seen as the first end of the Applicant’s coil spring.

The outer end (64) of the first coil spring (60) abuts against the adjacent end side (16B) of the fender (16) and extends downwardly through the fender (16) for receipt in the opening (82) of the mounting stand (28). The upright member (32) abuts against the end side (16B) of the fender (16). The head of the bolt (26B) is positioned against the outermost surface of the upright member (32), while the body of the bolt extends through the horizontal shaft (26). The adjustment bolt (86) abuts against the downwardly extending portion of the outer end (64) in the opening (82).

The Examiner has indicated that "the secondary mounting mechanism" is shown by "the upright members (32, 34) with bolt (26B) and nut (26C)," while the "primary mounting member" is shown by the openings (82, 84) in the shelf (80) of the mounting stand (28). Accordingly, with respect to the first coil spring (60), the primary mounting mechanism would be seen as the opening (82) with adjustment bolt (86). The secondary mounting mechanism would be seen as the upright members (32, 34) with bolt (26B) and nut (26C).

However, the secondary mounting mechanism identified by the Examiner is clearly not axially spaced along the spring axis relative to the primary mounting mechanism. The first coil spring (60) extends between inner and outer ends (66, 64). The outer end (64) of the first coil spring (60) extends within the opening (82) for engagement by the adjustment bolt (86). In other words, the primary mounting mechanism identified by the Examiner is positioned at the outer end (64) of the first coil spring (60). Thus, it necessarily follows that the secondary mounting mechanism must be positioned a spaced distance from the outer end (64) of the coil spring (60) towards the inner end (66) in order to provide a secondary mounting mechanism "axially spaced along the spring axis relative to the primary mounting mechanism so that the primary mounting mechanism and the secondary mounting mechanism together substantially restrain the coil spring from bending about the spring axis."

In this instance, the secondary mounting mechanism identified by the Examiner (being "the upright members (32, 34) with bolt (26B) and nut (26C)") is not axially spaced along the spring axis relative to the primary mounting mechanism.

Neither of the upright members (32, 34) is spaced axially along the spring axis relative to the primary mounting mechanism or along the length of the coil spring (60) between

the primary mounting mechanism and the inner end (66) of the coil spring (60). Rather, the first coil spring (60) is entirely contained within the fender (16) and the upright members (32, 34) are positioned outside of the end sides (16B, 16A) of the fender (16). Accordingly, each of the upright members (32, 34) is positioned away from the first coil spring (60) and is specifically spaced apart or away from the respective end (64, 66) of the first coil spring (60).

Similarly, the nut (26C) is affixed with the bolt (26B) outside of the fender (16) and the upright member (34). Thus, the nut (26C) is not spaced axially along the spring axis relative to the primary mounting mechanism or along the length of the first coil spring (60) between the primary mounting mechanism and the inner end (66) of the first coil spring (60). Rather, the first coil spring (60) is entirely contained within the fender (16) and the nut (26C) is positioned outside of the end side (16A) of the fender (16). Accordingly, the nut (26C) is also positioned away from the first coil spring (60) and is specifically spaced apart or away from the end (66) of the first coil spring (60).

Finally, the bolt (26B) extends through the entire first coil spring (60) from the outermost surface of the upright member (32), through the outer end (64) and the inner end (66) of the coil spring (60) and to the outermost surface of the upright member (34). Accordingly, the bolt (26B) is not spaced axially along the spring axis relative to the primary mounting mechanism. Rather, the secondary mounting mechanism in this instance coincides axially with the primary mounting mechanism.

With respect to the second coil spring (62), the second coil spring (62) also has an inner end (70) and an opposite outer end (68). The second coil spring (62) is substantially contained within the fender (16), wherein the side of the second coil spring (62) opposite the inner end (70) abuts against and is contained within the end side (16A) of the fender (16). The inner end (70) of the second coil spring (62) extends upwardly through the fender (16) for engagement with the mast (22). Thus, the inner end (70) of the second coil spring (62) would again be seen as the first end of the Applicant's coil spring.

The outer end (68) of the second coil spring (62) abuts against the adjacent end side (16A) of the fender (16) and extends downwardly through the fender (16) for receipt in the opening

(84) of the mounting stand (28). The upright member (34) abuts against the end side (16A) of the fender (16). The nut (26C) is positioned against the outermost surface of the upright member (34), while the body of the bolt (26B) extends through the horizontal shaft (26). The adjustment bolt (88) abuts against the downwardly extending portion of the outer end (68) in the opening (84).

To reiterate, the Examiner has indicated that “the secondary mounting mechanism” is shown by “the upright members (32, 34) with bolt (26B) and nut (26C),” while the “primary mounting member” is shown by the openings (82, 84) in the shelf (80) of the mounting stand (28). Accordingly, with respect to the second coil spring (62), the primary mounting mechanism would be seen as the opening (84) with adjustment bolt (88). The secondary mounting mechanism would be seen as the upright members (32, 34) with bolt (26B) and nut (26C).

However, the identified secondary mounting mechanism is clearly not axially spaced along the spring axis relative to the primary mounting mechanism. The second coil spring (62) extends between inner and outer ends (70, 68). The outer end (68) of the second coil spring (62) extends within the opening (84) for engagement by the adjustment bolt (88). In other words, the primary mounting mechanism identified by the Examiner is positioned at the outer end (68) of the second coil spring, as shown clearly in Figure 2. Thus, it necessarily follows that the secondary mounting mechanism must be positioned a spaced distance from the outer end (68) of the second coil spring (62) towards the inner end (70) in order to provide a secondary mounting mechanism “axially spaced along the spring axis relative to the primary mounting mechanism so that the primary mounting mechanism and the secondary mounting mechanism together substantially restrain the coil spring from bending about the spring axis.”

In this instance, the secondary mounting mechanism identified by the Examiner (being “the upright members (32, 34) with bolt (26B) and nut (26C)”) is not axially spaced along the spring axis relative to the primary mounting mechanism.

Neither of the upright members (32, 34) is spaced axially along the spring axis relative to the primary mounting mechanism or along the length of the second coil spring (62) between the primary mounting mechanism and the inner end (70) of the second coil spring (62). As stated, the second coil spring (62) is entirely contained within the fender (16) and the upright

members (32, 34) are positioned outside of the end sides (16B, 16A) of the fender (16). Accordingly, each of the upright members (32, 34) is positioned away from the second coil spring (62) and is specifically spaced apart or away from the respective end (70, 68) of the second coil spring (62).

Similarly, as stated above, the nut (26C) is affixed with the bolt (26B) outside of the fender (16) and the upright member (34). Thus, the nut (26C) is not spaced axially along the spring axis relative to the primary mounting mechanism or along the length of the second coil spring (62) between the primary mounting mechanism and the inner end (70) of the second coil spring (62). Rather, the second coil spring (62) is entirely contained within the fender (16) and the nut (26C) is positioned outside of the end side (16A) of the fender (16). Accordingly, the nut (26C) is also positioned away from the second coil spring (62) and is specifically spaced apart or away from the end (68) of the second coil spring (62).

Finally, the bolt (26B) extends through the entire second coil spring (62) from the outermost surface of the upright member (32), through the inner end (70) and the outer end (68) of the second coil spring (62) and to the outermost surface of the upright member (34). Accordingly, the bolt (26B) is not spaced axially along the spring axis relative to the primary mounting mechanism. Rather, the secondary mounting mechanism in this instance coincides axially with the primary mounting mechanism.

Clark et. al. is cited by the Examiner with respect to Claims 10 and 11 only. Accordingly, in summary, it is respectfully submitted that neither Dicke et. al. nor Clark et. al., either alone or in combination, discloses, describes or suggests in any manner the “mounting mechanism” of the Applicant as claimed in amended Claim 1.

In particular, it is respectfully submitted that neither Dicke et. al. nor Clark et. al., either alone or in combination, discloses, describes or suggests in any manner “a mounting mechanism **for connecting the device with the object** such that the coil spring is substantially restrained from bending about the spring axis, wherein the mounting mechanism is comprised of a primary mounting mechanism and a secondary mounting mechanism and wherein **the secondary mounting mechanism is axially spaced along the spring axis relative to the primary mounting**

mechanism so that the primary mounting mechanism and the secondary mounting mechanism together substantially restrain the coil spring from bending about the spring axis.”

It is therefore respectfully submitted that amended independent Claim 1 is allowable and allowance of amended independent Claim 1 is therefore respectfully requested.

Further, referring to Claim 4, the primary mounting mechanism is integrally formed with the coil spring. In addition, further to Claim 18, the coil spring, the marker post and the mounting bracket are integrally formed from a single piece of steel rod.

It is respectfully submitted that Dicke et. al. teaches away from these features. In particular, the “primary mounting mechanism” is seen by the Examiner as the openings (82, 84) in the shelf (80) for the receipt of the outer ends (64, 68) of the coil springs (60, 62). However, Dicke et. al. specifically requires the outer ends (64, 68) of the coil springs (60, 62) to be “loosely received” within the openings (82, 84). The ends are loosely received in order to permit the mast to freely pivot several degrees and in order to permit the adjustment bolts (86, 88) to be adjusted as necessary to vary the pivotability of the mast or to adjust the position of the mast relative to the vertical. (Column 3, line 57 - Column 4, line 16 of Dicke et. al.). It is therefore respectfully submitted that the making of the ends of the coil springs integral with these openings would do away with this functionality and the specifically described and intended purpose of the openings.

Referring to Claim 5 and new Claim 21, the “secondary mounting mechanism is comprised of a U-bolt which is sized to surround the coil spring.” The Examiner has indicated that this feature is obvious in view of the upright members (32, 34) of Dicke et. al.. However, in the event that the upright members (32, 34) were modified to be U-bolts, it is respectfully submitted that Dicke et. al. would still not render this feature obvious. In particular, the upright members (32, 34) are provided for attachment of the horizontal shaft (26) thereto by the bolt and nut (26B, 26C). The coil springs (60, 62) are contained within the fender (16) positioned between the upright members (32, 34). Accordingly, a modification of the upright members (32, 34) to U-bolts would also simply provide a means for attachment with the horizontal shaft (26). Clearly, the U-bolts would not “surround the coil spring” in this circumstance.

Further, as stated above, Claim 6 requires that the U-bolt be connected "with the object." As discussed above, there is no "object" provided for in Dicke et. al.

Finally, referring to Claims 16 and 17, the coil spring is comprised of at least 9 or at least 12 windings respectively. It is respectfully submitted that this limitation is also not shown by Dicke et. al. As discussed in detail above, each of the coil springs (60, 62) of Dicke et. al. must be viewed separately in analyzing the claims. Accordingly, coil spring (60) is comprised of 7 windings, while coil spring (62) is comprised of 8 windings only. The number of windings is significant as the number contributes to the overall length of the coil spring, and thus its tendency to bend about the spring axis upon use.

Dependent Claims 2 and 4 - 23 all depend directly or indirectly from amended independent Claim 1. It is respectfully submitted that these dependent Claims are allowable for the distinctions defined therein as well as for the reasons supporting the allowability of amended independent Claim 1, and allowance of dependent Claims 2 and 4 - 23 is therefore also respectfully requested.

In view of the foregoing amendments and remarks, it is submitted that this Application is in condition for allowance and allowance is respectfully requested.

Respectfully submitted,

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Dated: September 30, 2004

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